

REMARKS

This application has been reviewed in light of the Office Action mailed on October 06, 2003. Claims 1-6 are pending in the application with Claim 1 being in independent form. By the present amendment, Claim 1 has been amended. No new matter or issues are believed to be introduced by the amendment.

Claims 1-6 were rejected under 35 U.S.C. § 103(a) over Valentine (U.S. Patent 6,011,973) in view of Mimura (U.S. Patent No. 6,295,451) and Kayuza (EP 0 874 529 A2).

Independent Claim 1 has been amended herein to better define Applicants' invention and to patentably distinguish Applicants' invention over Valentine in view of Mimura and Kayuza.

Claim 1 as amended recites in part:

...means for entering into the control means a single predetermined service area in which a user of the unit is notified upon entry, the control means being capable of recognizing entry of the mobile unit into the single predetermined service area from an adjacent service area, and means for notifying the user of the unit of entry into the single predetermined service area...

It is respectfully submitted that at least the limitations and/or features of Claim 1 which are newly added and underlined above are not disclosed or suggested by the cited references, alone and in combination.

Applicant appreciates the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during an informal telephonic interview conducted on December 22, 2003. During the informal interview, an issue was raised regarding the 103 rejection of Claim 1. In particular, Applicant's attorney presented arguments regarding

the patentability of independent Claim 1 over the combination of references. In the interview, the Examiner agreed with the position taken by Applicant's attorney, distinguishing the cited references. Re-iteration of the arguments presented during the telephonic interview are presented as follows:

It is respectfully submitted that the Applicant's invention as recited by Claim 1 as amended are nowhere taught or suggested in Valentine, Kayuza or Mimura, and combinations thereof. In accordance with the present invention, entering a single predetermined service area into the control means allows a user to be notified only when the user enters the single predetermined service area and no other service area.

In the instant office action, the Examiner asserts that Valentine teaches, inter alia, *means for entering into the control means a predetermined service area.*

Valentine is directed to a cellular telephone equipped with a memory containing information regarding the allowability/disallowability of operation of a cellular telephone in various geographical locations (i.e., all service areas). Valentine discloses that the telephone compares its ascertained geographical location with restricted location information contained in its memory to determine whether operation is allowed in the ascertained geographical location. Based on this determination, the cellular telephone either enables or disables operation of the cellular telephone or of a requested service or capability of the cellular telephone. (see Valentine at Col. 1, lns. 57-67). The cellular telephone of Valentine is either disabled or enabled based on pre-stored restricted location information for any of the various geographical locations. It is obvious, therefore, that Valentine is not directed to a specific single predetermined service area for notifying a user of entry, as recited in Claim 1, but is instead directed to ascertaining the

allowability/disallowability of the telephone operation, via memory means or through an external database, for the various geographical locations. In other words, there is no focus on a particular single service area, as recited in Claim 1. Instead, the focus of Valentine is directed to establishing the operational status of the telephone dependent upon its present geographical location (i.e., all service areas).

During the telephonic interview there was no discussion of Kayuza, however, Applicant has distinguished this reference in the previous response. To briefly reiterate the arguments presented there, the secondary reference, Kayuza, is cited for teaching means for notifying a user of mobile unit entry into a predetermined service area. As stated in Applicants' previous response, Kayuza is directed to a mobile information device entering a service area of an information providing device. Upon entering a local service area, the mobile device receives local information (e.g., address, telephone number information) from the information providing device concerning the local service area, when a local information request flag has been set. Upon receiving the local information at the mobile device, the device determines whether or not some data in the mobile's address book coincides with the received local information. If there is no coincidence, then the information providing operation terminates. If on the other hand, there is coincidence data, a notification sound is generated.

Based on the foregoing, there is no teaching or suggestion in Kayuza of notifying a user when the user enters into a single predetermined service area, as recited in Claim 1. By setting the local information request flag in Kayuza, a user is notified for any service area, wherever that may be, in which some data in mobile's address book coincides with the received local information. Not setting the request flag in Kayuza results in no

transmissions. A stated objective of Kayuza is to inform a user of acquaintances who may reside in the current service area occupied by the user (see Kayuza at Col. 5, lns. 35-49). As the user travels from one service area to the next, the user may be informed in like manner.

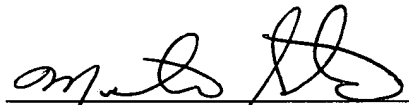
Mimura does not cure the deficiencies of Valentine or Kayuza. Mimura is cited by the Examiner only for teaching a cellular transmission system having a plurality of base stations situated at respective geographical locations to define a corresponding plurality of overlapping service areas constituting one or more regions.

Claims 2-6 depend from independent Claim 1 and therefore contain the limitations of Claim 1. Hence, for at least the same reasons given for Claim 1, Claims 2-6 are believed to be allowable over the cited references. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claims 1-6 are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-6, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Jack Slobod, Esq., Intellectual Property Counsel, Philips Electronics North America Corp., at 914-333-9606.

Respectfully submitted,



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